



Express Mail Label No. EL902309562US

PATENT  
Attorney Docket No. STK-008CN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Oppermann  
SERIAL NO.: 09/754,831 GROUP NO.: 1647  
FILING DATE: January 3, 2001 EXAMINER:  
TITLE: Osteogenic Devices

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

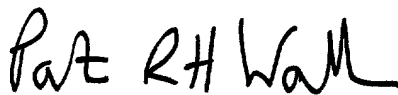
**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

In response to a "Notice to File Missing Parts of Application" dated March 8, 2001, Applicants submit the following (September 8, 2001 was a Saturday):

1. a check in the amount of \$2,230.00, including a basic filing fee of \$710.00, a 4 month extension fee of \$1,390.00, and a surcharge of \$130.00 as set forth in 37 CFR 1.16(e);
2. a copy of the "Notice to File Missing Parts of Application" (2pgs);
3. a copy of a Declaration and Power of Attorney for Utility or Design Patent Application submitted in the patent application U.S.S.N. 08/375,901 and Associate Power of Attorney (5 pgs);
4. a paper copy of a sequence listing (46 pgs);
5. a computer-readable copy of the sequence listing;
6. a statement indicating that the content of the paper and computer-readable copies are identical and introduce no new matter (2 pgs);
7. a preliminary amendment (22 pgs);
8. Formal Drawings (30 pgs);
9. a Transmittal document (1 pg)
10. a Fee Transmittal document (1 pg);
11. a Petition for Extension of Time (1 pg); and
12. a return receipt postcard.

Respectfully submitted,



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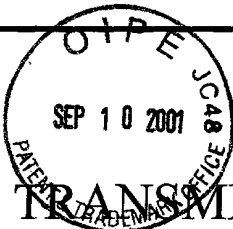
Patrick R. H. Waller, Ph.D.  
Agent for Applicant(s)  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

Date: September 10, 2001  
Reg. No. 41,418

Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100

WALLER\7557\16.2171859\_1

FOR FILING



# TRANSMITTAL FORM

Application Serial Number	09/754,831
Filing Date	January 3, 2001
First Named Inventor	Oppermann
Group Art Unit	1647
Examiner Name	
Attorney Docket No.	STK-008CN
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable


## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response <input checked="" type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input checked="" type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Sequence Listing submission <input checked="" type="checkbox"/> Paper Copy/CD <input checked="" type="checkbox"/> Computer Readable Copy <input checked="" type="checkbox"/> Statement verifying identity of above	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input checked="" type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Response to Notice to File Missing Parts
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## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
 Patrick R. H. Waller, Ph.D.  
 Agent for Applicant(s)  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110

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FEE TRANSMITTAL

FY 2001

SEP 10 2001

Complete if Known

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Filing Date	January 3, 2001
First Named Inventor	Oppermann
Group Art Unit	1647
Examiner Name	
Attorney Docket No.	STK-008CN

## METHOD OF PAYMENT

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

## FEE CALCULATION

## 1. FILING FEE

Large Entity			
Fee (\$)	Fee Description	Fee Paid	
710	Utility filing fee	710.00	
320	Design filing fee		
150	Provisional filing fee		
Total Claims - 20 =		x \$ 18.00 =	
Independent Claims - 3 =		x \$ 80.00 =	
<input type="checkbox"/> Multiple Dependent Claim(s), if any		\$270.00 =	
TOTAL:		710.00	
SMALL ENTITY DISCOUNT:			
SUBTOTAL (1)		(\$ ) 710.00	

## 2. AMENDMENT CLAIM FEES

Claims	Highest No.	Present	Rate	Fee Paid
Remaining	Previously	Extra		
After Amend.	Paid For			
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 80.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$270.00 =	
TOTAL:			(\$ )	
SMALL ENTITY DISCOUNT:			(\$ )	
SUBTOTAL (2)			(\$ )	

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	\$130.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	
390	195	Extension for reply within second month	
890	445	Extension for reply within third month	
1,390	695	Extension for reply within fourth month	\$1,390.00
1,890	945	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
180	180	Submission of Information Disclosure Statement	
710	355	Filing a submission after final rejection (37 CFR 1.129(a))	
710	355	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (Specify)			
Other fee (Specify)			
SUBTOTAL (3)		(\$ ) 1,520.00	

SUBTOTAL (3) (\$ ) 1,520.00

SUBTOTAL (1) 710.00

SUBTOTAL (2)

SUBTOTAL (3) 1,520.00

TOTAL (\$ ) 2,230.00

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Respectfully submitted,  
*Pat R H Wall*  
 Patrick R. H. Waller, Ph.D.  
 Agent for the Applicants  
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